

8/4 (8)

Don Johnson

From: Don Johnson
Sent: Wednesday, July 30, 2003 4:13 PM
To: Peter Ashton
Cc: Walter Foster II
Subject: RE: COPS In Schools Grant

Peter:

My best suggestion is that over the 4 year life of this grant, the Selectmen, in good faith, will determine if and how many FTE's (direct body count and/or whatever might result from Impact Bargaining for comparable budgetary results) need to come from the Police Department as part of the Municipal share of budget cuts. If the cuts must be taken (either due to insufficient or reduced revenues and/or due to failed Overrides) the Selectmen would make a good faith effort to gain relief from the maintenance of effort provisions with respect to the COPS Grant. To the extent that the requested relief (or part thereof) is not granted by the Department of Justice, the School Committee will agree to absorb that share of the needed cuts from its budget allocation. The mechanics would have to be refined as to how this is accomplished but the intent would be a "hold harmless" for this part of the Municipal Budget.

I have shied away from proposing with respect to the Two specific officers funded by the Grant since we may need to lay off 3 or 4 officers at any given time and we would be prevented from doing any of them under the strict terms of the grant. In such a dire condition we may be able to prove that we would have otherwise reduced our force (even without the grant officers) but we would be in some jeopardy to prove so ... hence, the good faith appeal to DOJ suggestion. For costing purposes, the \$50,000 in the Grant is a reasonable starting place. In the first year of a layoff, however, we need to add approximately \$20,000 for Unemployment costs per officer. The Unemployment costs would need to be allocated directly into the Municipal Budget the first year, thereafter they could be dropped. The hold harmless would have to continue year after year over the life of the grant, unless we were able to regain income or income share such that the associated cuts could be restored to the Municipal side's credit. One needs to remember that necessary reductions may occur any or every year throughout the life of the grant. So this scenario could (1) never happen, (2) happen in any one of the years and need to carry through the end of the 4th year of the grant, (3) happen in multiple years or (4) happen every year.

As a measure of how many FTE's might be needed from the Police Budget in any given year, I think it is good to look back at the Override and realize that we were proposing 3 Police and 3 Fire FTE's, along with other cuts, in the event of the lost \$3,000,000 Override. Even in the A-Budget, we needed to RIF 2 in Highway, 1 in Memorial Library and take other cuts. As I have pointed out in other correspondence, we will not be able to go to those resources in future years so we may find that, in similar circumstances, we need to take even more from Police. If those circumstances occur, or continue, in other years the impacts on the Police Budget will be magnified. This is the dilemma of how much to tell the schools they would be accepting for exposure. The best answer I have to that dilemma is that the Municipal Budget would have to absorb all of the unknown liability otherwise. I don't think we have the space to force this onto our other departments and hold the Police Department harmless.

Regards,
 Don

-----Original Message-----

From: Peter Ashton
Sent: Wednesday, July 30, 2003 8:11 AM
To: Don Johnson
Cc: Walter Foster II
Subject: Re: COPS In Schools Grant

Don:

I reviewed your e-mail to Bill regarding the COPS grant and you have explained our dilemma very well. However you must in my opinion make a proposal to begin in terms of financial burden that you

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want the schools to share. I would suggest you present it to him in terms of either their picking up the cost of the two police officers should we require layoffs or that our "share" of the municipal budget be increased relative to the schools to accommodate these two police officers. I voiced the opinion prior to our 4-1 vote that the schools and the town need to share in the pain on this should layoffs be required. I suggest a written proposal where this is made clear and where the dollar impacts are clearly stated. Otherwise the schools will simply come back and say no because we didn't have enough information about the financial impact.

Now that we have the extension, I feel strongly that we must do everything we can to make this grant happen including laying out precisely the financial burden we want the schools to share in the event we face another round of layoffs. If you are uncertain about what a layoff picture would look like, I suggest we use FY04's B budget as the guide, lacking any other information.

Peter

Don Johnson

From: Don Johnson
Sent: Tuesday, July 29, 2003 11:15 AM
To: Bill Ryan
Cc: Board of Selectmen
Subject: COPS In Schools Grant
Importance: High

Bill:

These are the materials we gave the Board of Selectmen when they were considering the COPS in Schools Grant. The particular conditions that give us pause begin on the third page "Conditions of Grant Award", in the following numbered paragraphs:

1. Apart from the grant conditions which prohibit supplanting and require maintenance of effort through at least one full year following exhaustion of the grant, the Town will be required to pick up training and other costs. That is not a problem to us but it is a cost we will have to absorb.
2. This is the non-supplant provision. We must hire new, additional officers. The Grants Administrator tells me that their goal is to supplement the funded force ... whatever it would have been without the grant. Chief Widmayer indicates that he has previously provided 1.75 FTE's in the schools. The .75 FTE had been funded via a grant that we will no longer receive. (This funding source is gone so the .75 FTE is gone.) Therefore, he was expecting to have only 1 FTE available for the coming school year. If he gets the COPS Grant, he would keep the previous 1 FTE and add 2 FTE's funded by the new grant.
3. Paragraph 3 is the retention requirement.
4. Paragraph 4 reinforces the non-supplant conditions in paragraph 2.

A "COPS Fact Sheet" is contained as pages 6 and 7 of this material. There are several bracketed paragraphs in these pages but your attention is specifically drawn to the paragraph "Financial Distress and Retention" at the end of the second page. Chief Widmayer and I have both attempted to get the Grants Administrator to give us some parameters here. At most, they seem to say they might consider the term "severe local distress" to be satisfied if we can prove that every entity within our organization is being required to take a uniform cut. I described the years of reductions in other areas of the Municipal Budget to protect our Public Safety organizations ... leaving us nowhere to go if we have a crisis now but to those units (Police and Fire), with disproportional cuts. They acknowledge this as an extraordinary circumstance but say they would have to see convincing proof. I even spoke with their legal department, with no better results. They say in this paragraph that exemptions will not be considered during the pre-award phase and they stick to it.

Bill, this grant is a great opportunity but the terms will absolutely tie our hands on the Municipal side. In any serious budget issues for the next 4 years we will likely be held to no RIF in the Police Department. Even with the successful Override this year I had to layoff 2 people in the Highway Department and take manning reductions in the Library. [In fact, one of the cuts in the Highway Department can be directly attributable to a similar grant we accepted several years ago and this was the required year of local funding ... leaving me with \$30,000 to be funded out of other departments (Highway, in this case).] I won't have those resources to turn to in the coming years.

In a 4-1 vote at their July 14 meeting, the Selectmen voted to accept this grant only on the condition that the Schools agree to share part or all of the losses we might otherwise assign to the Police Department over the next 4 years. I am not sure how that would break down and/or how to quantify it for you. In the simplest terms, I think the Selectmen are saying they cannot enter into a restrictive agreement with the Federal Government wherein the Municipal side's second largest department is held harmless from personnel cuts for 4 years, unless they can get help from the schools to offset this risk.

Chairman Foster has asked that I share this information with you in the hope that it will help you and the School Committee understand what is at issue in this matter. I look forward to meeting with you to discuss this in greater detail.

Regards,

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Don

Don Johnson

From: Don Johnson

Sent: Wednesday, July 30, 2003 1:10 PM

To: Bill Ryan

Hi, Bill. I got the message a short while ago that you called yesterday. I returned your call and was informed that you will be out for the balance of the week. I left word on your voice mail and thought I would check with you via e-mail, in the event you are staying in touch this way.

Regards,
Don

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